



THE SENATE OF SOUTH CAROLINA
213 GRESSETTE OFFICE BUILDING
P. O. BOX 142
COLUMBIA, SC 29202
PHONE: (803) 212-6430
FAX: (803) 212-6299
E-MAIL: SMEDICOMM@SCSENATE.GOV

MEMORANDUM

TO: Senator Ray Cleary, Subcommittee Chairman
Senator Joel Lourie
Senator Floyd Nicholson
Senator Thomas Alexander
Senator Lee Bright

FROM: Senator Harvey Peeler

DATE: March 20, 2015

SUBJECT: Medical Affairs Subcommittee Meeting – S. 176, S. 257, S. 341, S. 371, S. 474
and H. 3204

A meeting of the Medical Affairs Subcommittee on S. 176, S. 257, S. 341, S. 371, S. 474 and H. 3204 is scheduled for **Wednesday, March 25, 2015 at 9:00 a.m. in room #105 Gressette Building.** Please make every effort to attend. Thank You.

GENERAL BILLS

S. 176 -- Senator Alexander: A BILL TO AMEND SECTION 44-63-74(A) OF THE 1976 CODE, RELATING TO ELECTRONIC FILING AND TRANSMISSION OF DEATH CERTIFICATES, TO PROVIDE THAT DEATH CERTIFICATES MUST BE ELECTRONICALLY FILED WITH THE BUREAU OF VITAL STATISTICS WITHIN THREE DAYS AFTER DEATH, TO PROVIDE THAT MEDICAL CERTIFICATIONS OF CAUSE OF DEATH SHALL BE COMPLETED AND RETURNED TO FUNERAL HOME DIRECTORS WITHIN FORTY-EIGHT HOURS AFTER DEATH BY THE PHYSICIAN IN CHARGE OF THE PATIENT'S CARE FOR THE ILLNESS OR CONDITION WHICH RESULTED IN DEATH, EXCEPT WHEN INQUIRY IS REQUIRED BY CORONER OR MEDICAL EXAMINER, TO PROVIDE THAT IF THE CAUSE OF DEATH CANNOT BE DETERMINED WITHIN FORTY-EIGHT HOURS AFTER DEATH, A MEDICAL CERTIFICATION SHALL BE ENTERED AS PENDING AND A SUPPLEMENTAL REPORT SHALL BE FILED WITH THE BUREAU OF VITAL STATISTICS AND THIS REPORT SHALL BE MADE PART OF THE DEATH CERTIFICATE, AND TO PROVIDE

PENALTIES FOR VIOLATIONS; TO AMEND SECTION 32-8-325(A)(1), RELATING TO THE RECEIPT OF INSTRUCTIONS FOR CREMATION, TO PROVIDE THAT A DEATH CERTIFICATE ABSTRACT IS SUFFICIENT TO AUTHORIZE CREMATIONS; AND TO AMEND SECTION 32-8-340(A), RELATING TO THE TIME PERIOD PRIOR TO CREMATION, TO CONFORM TO AMENDMENTS ALLOWING FOR THE USE OF A DEATH CERTIFICATE ABSTRACT.

S. 257 -- Senator Thurmond: A BILL TO AMEND TITLE 44 OF THE 1976 CODE, RELATING TO HEALTH, BY ADDING CHAPTER 83, TO AUTHORIZE ELECTRONIC MONITORING OF A RESIDENT'S ROOM IN A LONG-TERM CARE FACILITY, TO PROVIDE THAT A LONG-TERM CARE FACILITY SHALL PROVIDE NOTICE THAT AUTHORIZED ELECTRONIC MONITORING IS PERMITTED AND MAY BE CONDUCTED ONLY WITH CONSENT, TO PROVIDE THAT A LONG-TERM CARE FACILITY SHALL NOT REFUSE TO ADMIT OR REMOVE AN INDIVIDUAL AS A RESIDENT FOR A REASON RELATED TO THE USE OF AUTHORIZED ELECTRONIC MONITORING, TO PROVIDE WHO MAY REQUEST ELECTRONIC MONITORING, TO PROVIDE THAT THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL SHALL DEVELOP CERTAIN GUIDELINES TO ASSIST IN DECIDING WHETHER A RESIDENT LACKS THE REQUIRED CAPACITY TO CONSENT AND GUIDELINES TO DETERMINE WHETHER A PERSON MAY SERVE AS A RESIDENT'S LEGAL REPRESENTATIVE FOR PURPOSES OF THIS CHAPTER, TO PROVIDE THAT REQUESTS FOR AUTHORIZED ELECTRONIC MONITORING MUST BE MADE ON A FORM DEVELOPED BY THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL AND TO OUTLINE THE REQUIREMENTS TO BE INCLUDED IN THE FORM, TO PROVIDE WHEN AND WHERE AUTHORIZED ELECTRONIC MONITORING MAY BE CONDUCTED, TO PROVIDE REQUIREMENTS FOR AND OF A LONG-TERM CARE FACILITY RELATED TO AUTHORIZED ELECTRONIC MONITORING, TO PROVIDE FOR SANCTIONS AND PENALTIES AGAINST ANY PERSON OR ENTITY WHO REFUSES TO ADMIT AN INDIVIDUAL, ALLOWS REMOVAL OF A RESIDENT, OR DOES NOT PERMIT A RESIDENT TO CONDUCT AUTHORIZED ELECTRONIC MONITORING, TO PROVIDE PENALTIES AGAINST ANY PERSON OR ENTITY WHO INTENTIONALLY HAMPERS, OBSTRUCTS, TAMPERS WITH, OR DESTROYS AN ELECTRONIC MONITORING DEVICE INSTALLED IN A LONG-TERM CARE FACILITY, TO PROVIDE THAT A TAPE OR RECORDING CREATED THROUGH THE USE OF AUTHORIZED ELECTRONIC MONITORING MAY BE ADMITTED INTO EVIDENCE IN A CIVIL OR CRIMINAL COURT ACTION OR ADMINISTRATIVE PROCEEDING, AND TO PROVIDE FOR NECESSARY FORMS AND DISCLOSURES.

S. 341 -- Senator Kimpson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-37-65 SO AS TO PROVIDE THAT EVERY HOSPITAL IN THIS STATE SHALL PROVIDE THE PARENTS OF EACH NEWBORN BABY DELIVERED IN THE HOSPITAL CERTAIN EDUCATIONAL INFORMATION ON RENAL MEDULLARY CARCINOMA AND THE DEBILITATING EFFECT OF THIS RARE KIDNEY CANCER ASSOCIATED WITH THE SICKLE CELL TRAIT, AND TO PROVIDE

A HOSPITAL IS NOT REQUIRED TO PROVIDE OR PAY FOR RENAL MEDULLARY CARCINOMA TESTING.

S. 371 -- Senator Bryant: A BILL TO AMEND SECTION 40-33-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO GROUNDS FOR DISCIPLINING NURSES, SO AS TO ADD THE OVERMEDICATING OR UNDERMEDICATING OF A PATIENT BY A NURSE WHO MISREADS A PHYSICIAN'S ORDER AS A GROUND TO REVOKE THE NURSE'S LICENSE.

S. 474 -- Senator O'Dell: A BILL TO AMEND SECTION 44-22-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CHAPTER DEFINITIONS, SO AS TO ADD AND DEFINE THE TERM "AUTHORIZED HEALTH CARE PROVIDER"; TO AMEND SECTION 44-22-60, RELATING TO PATIENTS' RIGHTS, SO AS TO ALLOW AN AUTHORIZED HEALTH CARE PROVIDER TO PERFORM THE REQUIRED INITIAL EXAMINATION; AND TO AMEND SECTION 44-22-140, RELATING TO AUTHORIZATION OF MEDICATIONS AND TREATMENT GIVEN OR ADMINISTERED TO A PATIENT, SO AS TO ALLOW AN AUTHORIZED HEALTH CARE PROVIDER TO PERFORM THESE FUNCTIONS.

H. 3204 -- Reps. Bernstein, J.E. Smith, Cobb-Hunter, M.S. McLeod, Jefferson, Horne and Bales: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-29-185 SO AS TO ENACT THE "CERVICAL CANCER PREVENTION ACT", TO PROVIDE THAT BEGINNING WITH THE 2015-2016 SCHOOL YEAR, THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL MAY OFFER THE CERVICAL CANCER VACCINATION SERIES TO ADOLESCENT STUDENTS ENROLLING IN THE SEVENTH GRADE OF ANY PUBLIC OR PRIVATE SCHOOL IN THIS STATE, TO PROVIDE THAT NO STUDENT IS REQUIRED TO HAVE THE VACCINE BEFORE ENROLLING IN OR ATTENDING SCHOOL, TO PROVIDE THAT THE DEPARTMENT MAY DEVELOP AN INFORMATIONAL BROCHURE RELATED TO OFFERING THIS VACCINATION WITH SPECIFIC CONTENT REQUIREMENTS, TO DEFINE "CERVICAL CANCER VACCINATION SERIES", AND TO PROVIDE THAT IMPLEMENTATION OF THIS ACT IS CONTINGENT UPON RECEIPT OF FULL FUNDING BY STATE AND FEDERAL FUNDS.

**AGENDA SUBJECT TO CHANGE*